

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

RAYMOND YEE)	
)	
)	Case No. 07-C-7150
Plaintiff,)	
)	
v.)	Magistrate Judge Schenkier
)	
UBS O'CONNOR, LLC and UBS)	
GLOBAL ASSET MANAGEMENT,)	
)	
Defendants.)	

PLAINTIFF'S INITIAL RULE 26(A)(1) DISCLOSURES

All responses subject to amendment following further investigation.

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION

Raymond Yee does not possess contact information, but believes (unless noted otherwise) that the below witnesses are current employees of defendants (subject to later amendment).

Raymond Yee: Former employee; knowledge about own allegations, employment history, termination and other adverse actions, and damages (including mitigation).

Angela Rudin, Joseph Scoby: Knowledge about circumstances of Yee's employment, termination, and unsuccessful attempts to locate other work in defendants' organizations.

Chris Shibutani: Plaintiff's replacement at UBS.

Kipp Schrage: Managing director. Supervised and evaluated performance of Yee. Involved in decision to terminate Yee.

Dawn Fitzpatrick: Managing directors; knowledgeable about Yee's work history.

Molly Carl, Paul Mitchell: Executive directors; knowledgeable about Yee's work history.

Robert Apter: Jointly managed the healthcare portfolio with Yee for several years. Issues

and criticisms from Schrage were often discussed and channeled through Apter. Schrage's attempts to break up the team or reassign Apter were discussed with him. Apter has first-hand information on Yee performance.

George Locasto: Knowledgeable about Schrage's opinion of Yee and Schrage's efforts to take adverse actions over the 2003-2006 period. Yee expressed interest to Locasto in working in Hong Kong position in February 2006.

Paul Drumm: Back-up trader on health care to Apter. Witnessed Schrage's treatment of Yee.

Eun Lee: Provided support on private equity portfolio, which was subject of Schrage's November 2006 criticism.

George Halaby: Hiring manager for the Honk Kong analyst and European pharmaceutical analyst positions.

Randy Mitchell (Goldman Sachs sales): Individual that sought clarification from Geneal Services Banker who was on Yee's call with Mindray and cleared him of accused wrongdoing.

Jason Randolph, Michael Braden, Paul Chambers: Younger portfolio managers who also suffered losses but were not treated adversely by Schrage to the same degree (if at all) as Yee.

B. DESCRIPTION OF RELEVANT DOCUMENTS

1. Documents requested/produced by defendants.
2. All documents that defendants filed, submitted, received or otherwise obtained, relating or pertaining in any manner to any charges against defendants that Raymond Yee filed with the Equal Employment Opportunity Commission, the Illinois Department of Human Rights, or any other administrative or governmental agency.

3. All documents that support or refute, or which tend to support or refute, any claim made in the Complaint, denial or defense raised in the Answer and/or the charge of discrimination Raymond Yee filed with or submitted to the Equal Employment Opportunity Commission and the Illinois Department of Human Rights Department against defendants.

4. All documents that support or relate to the basis for any facts or opinions on which defendants expect any expert or opinion witness to offer or provide testimony in connection with any aspect of this Lawsuit, or who were consulted or retained in connection with any aspect of this Lawsuit.

5. All documents that support or relate to any claims of lost (back or front) pay as a result of the events and actions alleged in the Complaint, including all documents concerning the method of calculating Raymond Yee's earnings during his employment, all data that was used (or would have been if Mr. Yee remained employed) to calculate compensation, bonus and benefit information for Raymond Yee, summary plan descriptions for all plans in which Mr. Yee was enrolled or eligible and income earned by Chris Shibutani since his employment.

6. All documents that relate to Raymond Yee's employment with defendants, including but not limited to handbooks, manuals, training information, memoranda, e-mails, messages, recordings, affidavits, performance reviews, schedules, diaries, journal entries, calendar entries, notes and other documents and materials.

7. All documents that relate to losses by Raymond Yee and any other UBS O'Connor, LLC analysts/portfolio managers in their portfolios (as identified in Interrogatory No. 2), including but not limited to Jason Randolph, Michael Braden, Paul Chambers, and Paul Mitchell.

8. All documents that relate to the performance (including reviews, appraisals, and 360

reviews) of all UBS O'Connor, LLC analyst/portfolio managers, including but not limited to Raymond Yee, Jason Randolph, Michael Braden, Paul Chambers, and Paul Mitchell.

9. Any documents relating to defendants and Raymond Yee's efforts to locate Mr. Yee another position within one of the defendants or another a UBS unit in 2007.

10. Any policies maintained by defendants regarding performance review, probation, discipline or termination of analysts or portfolio managers in the UBS O'Connor, LLC unit.

11. All documents that relate to Robert Apter, including all his position descriptions, and all documents relating to his job responsibilities and tasks with defendants, his salary, bonuses, raises, reviews, appraisals, and any work performance-related counseling he may have received from defendants.

12. All documents that relate to defendants' communications with any of its employee(s), supervisor(s), or manager(s) leading up to the termination of Raymond Yee's employment with defendants, including all communications relating to probation, severance, adding another healthcare team, Yee's alleged attempt to return to work, and the hiring of Chris Shubutani.

13. All notes, correspondence, memoranda and other documents, including but not limited to any diaries, calendars, notebooks or journals by any agent of defendants that relate to any events, actions, defenses or statements alleged in the Complaint or Answer.

14. All organization charts for USB O'Connor, LLC.

15. All organization charts for defendants' Information Technology or Information Services departments or divisions.

C. CALCULATION OF DAMAGES

Under the Age Discrimination in Employment Act, considering monetary relief for a

discrimination claim, an employee may obtain lost income in the form of back pay and benefits (double damages for willful discrimination), front pay, attorney fees and costs, and interest. All of these items in this case depend on the conditions of the market, as a substantial portion (half or more) of Yee's compensation is tied to performance. Without data on which to base a calculation, it is not possible at the moment to itemize such damages. The following table lays out past income:

Year	Base	Bonus	Options / Warrants
2007	\$150,000		
2006	150,000	\$150,000	None
2005	150,000	250,000	None
2004	150,000	400,000	1,250 options
2003	150,000	150,000	
2002	150,000	100,000	3,500 options
2001	150,000	450,000	
2000	150,000	2,000,000	
1999	135,000	1,200,000	
1998	135,000	475,000	
1997	125,000	650,000	
1996	125,000	315,000	

One of the attorneys for plaintiff

/s/ Paul W. Mollica
Paul W. Mollica
Karen A. Sheley
Meites Mulder Mollica & Glink
20 S. Clark St., #1500
Chicago, IL 60603
312-263-0272

CERTIFICATE OF SERVICE

I, Paul W. Mollica, an attorney, hereby certify that a true and correct copy of the foregoing **PLAINTIFF'S INITIAL RULE 26(A)(1) DISCLOSURES** was sent to the following:

David B. Ritter
Sonya Rosenberg
Neal Gerber & Eisenberg LLP
Two North LaSalle Street
Suite 2200
Chicago, Illinois 60602

via ECF-delivery on May 14, 2008.

/s/ Paul W. Mollica
Paul W. Mollica